

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

-

W.P.No.31075 of 1997

-

Between

Nella Venkatasubbaiah and another

..Petitioners

AND

The District Collector, Nellore and
others

..Respondents

JUDGMENT

14.2.2007

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.31075 of 1997

JUDGMENT:

This writ petition has been instituted challenging the validity of the notification issued by the first respondent – District Collector proposing to acquire certain extents of land in accordance with the notification published in terms of the provisions contained in Section 4(1) of the Land Acquisition Act.

The learned Government Pleader for Revenue had received a communication dated 2.2.2007 from the Revenue Divisional Officer pointing out that for the purpose of formation of pathway from Harijanwada to the main village, the Harijans have already selected alternative land through which the path way can be formed. Therefore, the Mandal Revenue Officer, Muthukur Mandal appears to have reported that there is no necessity to acquire the lands in question. The communication has also indicated that the matter has been taken up with the District Collector for the purpose of withdrawing the proposals for acquisition of the land, though, no order to that effect has been passed.

In view of the decision of the State Revenue Administration not to pursue the acquisition of the lands of the writ petitioners, the cause in the writ petition obviously, does not survive. Recording the statement that the State is not proceeding further with the notification issued for the proposed

acquisition of the lands belonging to the writ petitioners, the issue has not been decided and liberty has been accorded to the writ petitioners to revive the cause at any time, should the necessity to do so arise.

The writ petition stands disposed of with that. No costs.

NOOTY RAMAMOHAN RAO.J.

14.2.1.2007

psr